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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA,  
(SACRAMENTO DIVISION)

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CYTOSPORT, INC., a California  
corporation,

Plaintiff,

v.

VITAL PHARMACEUTICALS, INC., a  
Florida Corporation,

Defendant.

**ORDER GRANTING STIPULATION  
MODIFYING PRETRIAL DATES**

Case No.: 2:08-CV-02632-FCD-GGH

The Court, having reviewed the stipulation of the parties, and good cause appearing,  
ORDERS as follows:

1. VPX shall complete its supplemental document production by no later than April 15, 2011.

2. If a good faith dispute exists following April 15, 2011, regarding whether VPX has completed its supplemental document production, CytoSport may file an appropriate motion without the necessity of further meeting and conferring with VPX and without the Joint Statement normally required by Local Rule 251(c). CytoSport may bring the motion for hearing on fourteen (14) calendar days notice. VPX shall file a response thereto not later than seven calendar (7) days before the hearing date. CytoSport may file and serve a reply thereto not less than two (2) court days before the hearing date.

3. The parties shall meet and confer no later than May 6, 2011 to establish a deposition schedule to the extent feasible. The parties shall work in good faith to schedule all depositions previously noticed or requested by either party for mutually agreeable dates in May, June, or July 2011 (subject to any objections). Nothing in this stipulation shall limit the ability of any party to notice additional depositions following the above-referenced meet-and-confer conference, and the parties agree to meet and confer in good faith to schedule any such additional depositions (subject to any objections). No party shall notice any depositions (whether previously noticed or requested or not previously noticed or requested) until the above meet-and-confer conference has occurred.


4. The existing pretrial deadlines shall be modified as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Disclosure of Identity of Experts (provide name and short statement of expected testimony of experts other than rebuttal experts)	2/15/11	7/22/11
Disclosure of Rule 26(a)(2)(B) Initial Reports	2/22/11	7/29/11
Disclosure of Rebuttal Expert Reports	3/29/11	9/9/11

Expert Discovery Cut-Off	4/15/11	9/30/11
Discovery Cut-Off	4/15/11	9/30/11
Dispositive Motion Hearing Cut-Off	5/27/11	11/18/11
Final Pretrial Conference	7/22/11 at 2:00 p.m.	1/13/12 at 1:30 p.m.
Trial	9/27/11 at 9:00 a.m.	3/13/12 at 9:00 a.m.

**IT IS SO ORDERED.**

DATED: February 14, 2011

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE